

REMARKS

The Applicant wishes to thank the Examiner for thoroughly reviewing and considering the pending application. The Final Office Action dated May 31, 2006 has been received and carefully reviewed. Claims 1-9 are currently pending. Reexamination and reconsideration are respectfully requested.

The Office Action rejected claims 1-8 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. More specifically, the Office Action asserts that the original disclosure does not support the limitation of “incrementing a counter based on a number of times water is re-supplied to the washing machine.” The Applicants respectfully traverse this rejection.

This limitation is disclosed in the specification. See, for example page 6, paragraph 18. “It is determined using a timer and counter of the microcomputer whether a predetermined time has elapsed since the initial supply of water based on a count N1 of water re-supply steps (S205, S206). When the count exceeds a predetermined number N2 of water re-supply steps, the microcomputer resets (S207) the water re-supply level L2, increasing the minimum water level for proceeding the washing step.” The fact that the microcomputer has a counter and a count of the water re-supply steps occurs, the disclosure implicitly suggests that the counter is incremented and therefore supports the limitation. Accordingly, the Applicant requests that the Examiner withdraw the rejection.

Moreover, the Office Action rejected claims 1-8 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. More specifically, the Office Action alleges that it is unclear as to the meaning of incrementing a counter. As discussed above, the specification clearly sets forth that the microcomputer increments a counter for each water re-supply step. Accordingly, the Applicant requests that the Examiner withdraw the rejection.

The Office Action rejected claims 1-9 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,842,929 to *Kim et al.* (hereinafter “*Kim*”). The Applicant respectfully traverses this rejection.

With regard to claims 1-8, as required in Chapter 2131 of the M.P.E.P., in order to anticipate a claim under 35 U.S.C. §102, “the reference must teach every element of the claim.” The Applicant respectfully submits that *Kim* does not teach every element recited in claims 1-8. Thus, *Kim* cannot anticipate these claims. More specifically, claim 1 recites a washing machine control method comprising, among other features, “incrementing a counter based on a number of times water is re-supplied to the washing machine” and “comparing the number of times water is re-supplied to a pre-determined value.” The Applicant submits that *Kim* does not disclose incrementing a counter based on the number of times water is re-supplied to a washing machine. Similarly, *Kim* does not disclose comparing the number of times water is re-supplied to a pre-determined value. Accordingly, claim 1 is, as are claims 2-8 which depend therefrom, patentable over *Kim* and the Applicant requests that the rejection be withdrawn.

With regard to claim 9, the Applicant respectfully submits that *Kim* does not teach every element recited in claim 9. Thus, *Kim* cannot anticipate these claims. More specifically, claim 9 recites a method of controlling a washing machine including “counting a number of times the tub has been refilled to the initial water level; comparing the number of times the tub is refilled with a predetermined number; and resetting the minimum water level based upon the comparison between the number of times the tub is refilled and the predetermined number.” The Applicant submits that *Kim* does not disclose “counting a number a times the tub is refilled” nor does *Kim* disclose “comparing the number of times the tub is refilled with a predetermined number.” Similarly, *Kim* does not disclose “resetting the minimum water level based upon the comparison between the number of times the tub is refilled and the predetermined number.” Accordingly, claim 9 is patentable over *Kim* and the Applicant requests that the rejection be withdrawn.

The application is in a condition for allowance and favorable action is respectfully solicited. If for any reason the Examiner believes a conversation with the Applicant’s representative would facilitate the prosecution of this application, the Examiner is encouraged to contact the undersigned attorney at (202) 496-7500. All correspondence should continue to be sent to the below-listed address.

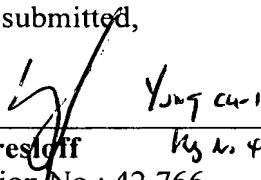
Application No.: 10/720,748
Final Response dated October 2, 2006
Reply to Office Action dated May 31, 2006

Docket No.: 9988.091.00

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: October 2, 2006

Respectfully submitted,

By 
Mark R. Kresloff *ky n. 43,324*
Registration No.: 42,766
McKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
Washington, DC 20006
(202) 496-7500
Attorneys for Applicant